

SENATE BILL 1054

R7

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By: **Senator Muse**

Introduced and read first time: March 1, 2010

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Raymond Scott Brown II Vehicle Towing Notification Act**

3 FOR the purpose of requiring a person who undertakes the towing or removal of
4 vehicles from parking lots to provide certain notice to certain police
5 departments; altering the time frame within which a tower is required to
6 provide certain notice to certain police departments after towing a vehicle from
7 a parking lot; altering the information that a tower is required to provide to
8 certain police departments after towing a vehicle from a parking lot;
9 establishing certain methods by which a tower may provide certain notice to
10 certain police departments; and generally relating to notice required to be
11 provided by towers to police departments with respect to vehicles towed or
12 removed from parking lots.

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 21–10A–04
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2009 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Transportation**

21 21–10A–04.

22 A person who undertakes the towing or removal of a vehicle from a parking lot:

23 (1) May not charge the owner of the vehicle or the owner's agent:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) More than twice the amount of the total fees normally
2 charged or authorized by the political subdivision for the impound towing of vehicles;
3 and

4 (ii) Except as provided in § 16–207(f)(1) of the Commercial Law
5 Article, more than \$8 per day for storage;

6 (2) Shall notify the police department in the jurisdiction where the
7 parking lot is located **BY PHONE, FACSIMILE, OR COMPUTER BOTH BEFORE AND**
8 within [two hours] **1 HOUR** after towing or removing the vehicle from the parking lot,
9 and shall provide the following information:

10 (i) A description of the vehicle including the [vehicle’s] **MAKE,**
11 **MODEL,** registration plate number [and], **AND, FOR THE NOTICE MADE 1 HOUR**
12 **AFTER TOWING OR REMOVING THE VEHICLE,** vehicle identification number **OF THE**
13 **VEHICLE;**

14 (ii) The date and time the vehicle was towed or removed;

15 (iii) The reason the vehicle was towed or removed; and

16 (iv) The locations from which and to which the vehicle was
17 towed or removed;

18 (3) Before towing or removing the vehicle, shall have authorization of
19 the parking lot owner which shall include:

20 (i) The name of the person authorizing the tow or removal; and

21 (ii) A statement that the vehicle is being towed or removed at
22 the request of the parking lot owner;

23 (4) Shall obtain commercial liability insurance in the amount of at
24 least \$20,000 per occurrence to cover the cost of any damage to the vehicle resulting
25 from the person’s negligence;

26 (5) Shall obtain a surety bond in the amount of \$20,000 to guarantee
27 payment of any liability incurred under this subtitle;

28 (6) May not employ individuals, commonly referred to as “spotters”,
29 whose primary task is to report the presence of unauthorized parked vehicles for the
30 purposes of towing or removal, and impounding; and

31 (7) May not pay any remuneration to the owner of the parking lot.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2010.